

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RITA JOHNSON,)	4:05CV3245
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
ALLMAND BROS., INC.,)	
)	
Defendant.)	

This matter is before the court on a report and recommendation issued by Magistrate Judge Piester (filing 32), recommending that this action be dismissed as the plaintiff has not responded to the court's order of May 5, 2006 (filing 29) requiring that she either obtain substitute counsel, request the appointment of counsel, or indicate by pleading that she will proceed without counsel. No objection to the report and recommendation has been filed within the time allowed by Fed. R. Civ. P. 72 and NECivR 72.3, and the plaintiff has still not responded to the court's order of May 5, 2006 .

I have conducted, pursuant to 28 U.S.C. § 636(b)(1) and NECivR 72.3, a de novo review of the Recommendation. Inasmuch as Judge Piester has fully, carefully, and correctly applied the law to the facts, I find that the Recommendation should be adopted and this matter should be dismissed pursuant to the terms of the court's prior order (filing 29), Fed. R. Civ. P. 41, and NECivR 41.1.

Accordingly,

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation (filing 32) is adopted;

2. This action is dismissed; and
3. Judgment shall be entered by separate order.

June 19, 2006.

BY THE COURT:

s/Richard G. Kopf
United States District Judge